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Jin Soo Lee

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KED & ASSOCIATES, LLP  
P.O. Box 221200  
Chantilly, VA 20153-1200

EXAMINER

SCHNURR, JOHN R

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Art Unit: 2623

In response to applicant's argument (Remarks page 13 para. 2 to page 14 para. 3) that the subject matter of Ghashghai (US PGPUB 2003/0037333) cited in the final rejection, paragraphs [0232], [0248], [0251] and [0254], is not supported by the parent application 09/422,121 and therefore Ghashghai does not qualify as prior art under 35 USC 102(e), the examiner respectfully disagrees. US application 09/422,121 teaches recording viewer actions, primarily button presses on a remote control device, along with current time and contextual information, these data are transmitted to a central site and used to form a complete trace of viewer actions (see page 36 line 20 to page 37 line 23). Viewer actions include VCR-like actions (see page 19 line 32 to page 20 line 2). Therefore the system records viewer behavior including normal finishing, no VCR-like actions recorded, stopping and skimming, i.e. fast-forward.